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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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STITES & HARBISON PLLC 1199 NORTH FAIRFAX STREET SUITE 900 ALEXANDRIA, VA 22314			EXAMINER CHEEMA, AZAM M	
			ART UNIT 2166	PAPER NUMBER
			MAIL DATE 10/29/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/520,018

Applicant(s)

JOHNSON, TERRY

Examiner

Azam Cheema

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 23 August 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 60-115 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 60-115 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

***DETAILED ACTION***

1. This communication is in response to the amendment filed on August 23, 2007 for application 10/520,018. In this amendment Claims 1-59 have been canceled and Claims 60-115 are added, which are ready for examination by the examiner.

***Response to Amendment***

2. Amended claims are in moot for a new ground of rejections.

***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 63 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 63 refries to itself. Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

5. Claims 60-102, 109-110 and 114-115 are rejected under 35

U.S.C. 102(a) as being anticipated by Schulze, Jr (PAT NO: US 6,497,360 B1).

For claims 60, 91 and 96, Schulze, Jr teaches: a system and method for collecting and/or adjusting and/or manipulating data from a data stream generated at a point of sale terminal, the system comprising: a point of sale terminal in communication with at least one peripheral device capable of receiving data generated by said point of sale terminal (col.2, lines 41-47, point of sale subsystem can include a main computer or server of the retailer that commonly communicates with a number of check out stations at which products are purchased, each check out stations includes a cash drawer or electronic cash register together with a product scanner); an intelligent interface in communication with the point of sale terminal and capable of intercepting said electronic data stream, the interface including an input and a first output in communication with the at least one peripheral device (col.5, lines 9-14, the peripheral devices associated with the point of sale subsystem may include a display such as a cathode ray tube or flat panel type display and any one of a variety of input/output devices); a processing station in communication with the interface and which receives data intercepted from said electronic data and a second output from the interface in communication with said data processing station, wherein the

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interface is capable of interrupting data transmitted between said point of sale terminal and said at least one peripheral device to adjust and/or compile at least a part of said electronic data stream to generate adjusted and/or compiled data, and wherein the adjusted and/or compiled data is transmitted to said at least one peripheral device via said interface (col.2, lines 47-57, the coupon redemption subsystem is adapted to interface with this point-of-sale subsystem to receive information regarding the sale of products and any associated from the point-of-sale subsystem. In addition, the coupon redemption subsystem is adapted to store information associated with redeemed coupons and to attempt to match that information to product sale and discount information downloaded from the point-of-sale subsystem).

As per claim 61, wherein the processing station is a site controller capable of transmitting adjusted data to at least one auxiliary processing station in communication with the processing station (col.13, lines 39-45).

As per claim 62, wherein the at least one auxiliary processing station is capable of providing additional data to a point of sale peripheral device (col.2, lines 49-53).

As per claim 63, wherein the at least one auxiliary processing station may be located either at the point of sale or at a remote location (col.4, lines 49-61).

As per claim 64, wherein the at least one auxiliary processing station is capable of performing tasks selected from at least one of the group consisting of validation of a customer coupon and voucher (col.3, lines 26-38).

As per claim 65, wherein a source of the electronic data comprises a scanner (col.2, lines 47-49).

As per claim 66, wherein a source of the electronic data comprises a weigher (col.1, lines 57-60).

As per claim 67, wherein a source of the electronic data comprises a magnetic card (col.3, lines 33-35).

As per claim 68, wherein a source of the electronic data comprises an electronic fund transfer point of sale scanner (col.2, lines 45-49).

As per claim 69, wherein a source of the electronic data comprises a keyboard (col.5, lines 12-15).

As per claim 70, wherein the at least one peripheral device in communication with the processing station via the intelligent interface is a point of sale printer (col.5, lines 12-15).

As per claim 71, further comprises a customer display (col.5, lines 9-12).

As per claim 72, further comprises a lottery terminal (col.13, lines 43-47).

As per claim 73, further comprises an electronic fund transfer point of sale device (col.3, lines 33-35).

As per claim 74, wherein output data to said at least one peripheral device includes content that is pre-loaded into the interface (col.5, lines 16-22).

As per claim 75, wherein the electronic data is provided by one or any combination of the following devices: a) a scanner, b) a keyboard, and c) a magnetic card (col.5, lines 12-15).

As per claim 76, wherein the intelligent interface enables data transmitted between said point of sale terminal and the at least one peripheral device to be intercepted for secondary adjustment, compilation or manipulation (col.5, lines 16-22).

As per claim 77, wherein the intelligent interface is in communication with a remote server and the remote server is in communication with a controller which links one or more remote sites to the remote server (col.4, lines 49-61).

As per claim 78, a system for interrupting data in a data stream passing between a point of sale terminal and at least one peripheral device (Fig.2), the system comprising:

an interface intermediate said point of sale terminal and said at least one peripheral device, the interface in communication with a first processing station, wherein the interface is capable of interrupting the data stream and transmitting said data to a first processing station and at least one auxiliary processing station from which data is obtained for use with adjusted and/or compiled data processed at the first processing station (col.2, lines 41-57, The product scanner reads the UPC (universal product code) on the product as part of the check-out procedure. In general, the coupon redemption subsystem is adapted to interface with this point-of-sale subsystem to receive information regarding the sale of products and any associated discounts (e.g. coupons being redeemed) from the point-of-sale subsystem. In addition, the coupon redemption subsystem is adapted to store information associated with redeemed coupons and to attempt to match that information to product sale and discount information downloaded from the point-of-sale subsystem).

As per claims 79, 98 and 99, wherein a system and method for adjusting data intercepted from a point of sale data stream between a point of sale terminal and a peripheral device for receiving said data, the system comprising (Fig.3):



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a point of sale terminal in communication with a printer capable of receiving data generated by said point of sale terminal, an intelligent interface in communication with the point of sale terminal and capable of intercepting said electronic data stream before it reaches said printer, the interface including an input and a first output in communication with the printer, the printer capable of performing at least one function responsive to said data stream, and

a first processing station in communication with the interface and which receives data intercepted from said electronic data stream via the interface to process said electronic data and return it via said interface to the printer (Fig.3, peripheral devices associated with the coupon redemption subsystem include a display including touch screen type display and various input/output devices, and the input/output devices include a printer).

As per claim 80, wherein the electronic data is adjusted and transmitted to an auxiliary processing station, wherein the auxiliary processing station is capable of uploading of customer data via the interface to the printer (Fig.3).

As per claim 81, a system for controlling output data at a point of sale terminal (Fig.2), the system comprising:

a point of sale terminal at which sales data is generated forming a data stream between the terminal and a peripheral printer, the printer responsive to a point of sale computer and which performs at least one print function responsive to the data stream, at least an interface which is capable of interrupting the data stream

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between the POS computer and printer so as to enable manipulation or compilation of said sales data from said data stream before allowing the printer to print said manipulated and/or adjusted data from the data stream, wherein data adjusted is transmitted via the interface to an auxiliary processing station, and wherein the auxiliary processing station is capable of uploading of statistical data and down loading configuration data to the printer (Fig.3, items 112, 124, 316 and 332, Point of Sale system, data center links, communication interface which capable of interrupting the data stream between the POS and printer) .

As per claim 82, wherein the interface is in communication with a remote server and the remote server is in communication with a controller which links one or more remote sites to the remote server (col.6, lines 16-26).

As per claim 83, wherein the interface is capable of adjusting said data in said data stream thereby allowing the printer to print data additional to or adjusted from data in the data stream (col.10, lines 28-34).

As per claim 84, wherein the additional print data is based on point of sale information obtained by said interface directly or indirectly from the point of sale computer (col.2, lines 41-45).

As per claim 85, wherein the point of sale computer terminal is a cash register which delivers a data stream to a receipt printer (col.2, lines 45-47, Fig.2, items 232).

As per claim 86, wherein the sales data is manipulated, altered, augmented, amplified or otherwise adjusted via the intelligent interface which is either local to or remote from the printer (Fig.2, items 232).

As per claim 87, wherein there are a plurality of printers at a point of sale site and a controller at either the point of sale site or at a remote location thereby enabling control of multiple printers (col.5, lines 9-15).

As per claim 88, wherein the intelligent interface connection is wireless (col.6, lines 16-24).

As per claim 89, wherein the intelligent interface comprises software embedded in a point of sale computer (Fig.2).

As per claim 90, a system for intercepting a data stream which passes between a point of sale terminal and a peripheral device for receiving said data, the system comprising (Fig.2):  
a point of sale terminal in communication with a printer capable of receiving data generated by said point of sale terminal and an intelligent interface in

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communication with the point of sale terminal and capable of intercepting said electronic data before it reaches said printer, the interface including an input and a first output in communication with the printer, the printer capable of performing at least one function responsive to said data stream and a first processing station in communication with the interface and which receives data intercepted from said data stream via the interface to process said data and return it via said interface to the printer (Fig.3, items 112, 124, 316 and 332, Point of Sale system, data center links, communication interface which capable of interrupting the data stream between the POS and printer)).

As per claim 92, wherein the at least one system peripheral device is a remote printer (col.5, lines 12-14).

As per claim 93, further comprises providing an interface modem connected between the point of sale terminal and printer (Fig.3).

As per claim 94, further comprises providing a software interface associated with the first processing station (Fig.2).

As per claim 95, wherein the software communicates with the data stream and intercepts and/or compiles and/or adjusts and/or manipulates the data for either storage or for subsequent delivery to a point of sale printer (Fig.2).

As per claim 97, wherein the at least one peripheral device is a printer which prints data including processed data from the data stream and said adjusted, compiled or manipulated data (Fig.3).

As per claim 100, wherein data is communicated between a central server and a site controller, which then disseminates the data via a wireless or wired network, or both, to the intelligent interface (col.6, lines 16-24).

As per claim 101, wherein the output data to said printer includes content that is pre-loaded into the interface (Fig.2).

As per claim 102, wherein a potentially unlimited number of promotional features are included in the data by the use of the intelligent interface (col.13, lines 43-47).

As per claim 109, wherein the processing station performs a function of connecting to a remote network to obtain promotional or other material in real-time for inclusion in output data (col.6, lines 16-24).

As per claim 110, wherein the remote processing station performs the function of the use of a connecting network to provide a means to update

promotional material stored in the intelligent interface and any associated printer, and to update rules regarding the generation of output data (Fig.2).

As per claim 114, wherein the intelligent interface is implemented as a piece of hardware external to an existing point of sale computer (Fig.3).

As per claim 115, wherein the intelligent interface comprises a software module within said point of sale computer working at a driver level to intercept and redirect data (col.2, lines 53-57).

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a

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later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 103-108 and 111-113 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schulze Jr. (PAT NO: US 6,497,360 B1) in view of Yokoyama et al. (US 2002/0097436 A1).

As per claims 103, 106, 108 and 113 Schulze, Jr does not explicitly teach regarding receipts containing graphic logos and static promotional material. However, Yokoyama et al teaches regarding receipts containing graphic logos and static promotional material (paragraph [0014], [0035], sales receipts issued from POS printers record for the customer what products were purchased and the purchase price, and are handed directly to the customer after the purchased products have been registered and the sales transaction is completed, logo, logo data, or logo information include in addition to this conventional meaning any image information, including advertising information, announcements or notices, and coupons, repeatedly printed by a POS printer. A logo as used can contain both images graphic elements and text, and can be monochrome or color.). It would have been obvious to one of the ordinary skill in the art at the time invention was made to modify the reference as regarding receipts containing graphic logos and static promotional material of Yokoyama et al with teaching of Schulze Jr because the primary purpose of a POS printer is printing

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detailed information about sales transactions, including the purchased products and price information to a sales receipt and journal paper (paragraph [0013], Yokoyama et al).

As per claims 104, 105, 107, 111 and 112 Schulze, Jr does not explicitly teach regarding receipts containing promotional material based on the product purchased. However, Yokoyama et al teaches regarding receipts containing graphic promotional material based on the product purchased (paragraph [0014], [0016], sales receipts issued from POS printers record for the customer what products were purchased and the purchase price, and are handed directly to the customer after the purchased products have been registered and the sales transaction is completed, product promotions and announcements can be printed on a sales receipt). It would have been obvious to one of the ordinary skill in the art at the time invention was made to modify the reference as receipts containing promotional material based on the product purchased of Yokoyama et al with teaching of Schulze Jr because the primary purpose of a POS printer is printing detailed information about sales transactions, including the purchased products and price information to a sales receipt and journal paper (paragraph [0013], Yokoyama et al).



*Conclusion*

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Azam Cheema whose telephone number is 571-270-1753. The examiner can normally be reached on Monday-Friday 7.30a.m-5.00p.m ALT Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alam Hosain can be reached on 571-272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Azam Cheema

Patent Examiner

August 19, 2007



SATHYANARAYANA PANNALA  
PRIMARY EXAMINER